

### REMARKS/ARGUMENTS

Reconsideration and allowance of the present application based on the following remarks are respectfully requested.

The Applicants thank the Examiner for pointing out that the Remarks section of the Preliminary Amendment filed August 26, 2003 noted that claims 1 and 3-19 were pending when, in fact, claims 1, 3-10 and 12-19 were pending. The current status of the claims is noted above.

Claims 9 and 18 stand rejected under 35 U.S.C. §112, first paragraph, for allegedly being non-enabled, indefinite and lacking appropriate written description in the specification. The Applicants submit that the above amendments fully address these rejections and respectfully request their withdrawal.

Claims 1, 3-5, 7, 10, 12-14, 16 and 19 stand rejected under 35 U.S.C. §102(b) as being anticipated by Seki *et al.* (US 5,039,749). The Applicants respectfully traverse this rejection for at least the following reasons.

The presently claimed invention includes *inter alia*, an acrylic composition having a matrix of polymethyl methacrylate comprising a mixture of a *syrup* of partially polymerized methyl methacrylate containing about 25% of polymethyl methacrylate solids with excess methyl methacrylate monomer, having dispersed within it particles having 80 to 90 wt.% polymethyl methacrylate, greater than 10 to 20 weight percent of a comonomer comprising an ethylenically unsaturated monomer, and more than 0.4 wt.% of a crosslinker. In addition, claim 22 recites a composition *consisting* of a matrix of polymethyl methacrylate having dispersed within it particles having 80 to 88 wt.% polymethyl methacrylate and 12 to 20 weight percent of a comonomer, and one or more adjuvants selected from colorants, initiators and surfactants.

In contrast, Seki *et al.* discuss “*melting and kneading* 2 to 80% by weight ...acrylic particulate composite (B) and 20 to 98% by weight of the thermoplastic acrylic resin (A).”<sup>1</sup> Additionally this reference notes that the above acrylic particulate composite (B) is a “multi-layer structured polymer”<sup>2</sup> resulting in a “a specific molecular structure...with a remarkable

---

<sup>1</sup> US 5,039,749 at Col. 5, lines 62-65. (*emphasis added*).

<sup>2</sup> US 5,039,749 at Col. 5, line19.

improvement of transparency and temperature dependence of haze..."<sup>3</sup> Accordingly, as Seki fails to teach or suggest all of the elements of the claimed invention, the Applicants respectfully request reconsideration and withdrawal of this rejection.

Claims 1, 3-8, 10, 12-17 and 19 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Deckers *et al.* (EP 0582951A2 as evidenced by US 5,475,055). Claims 6, 8, 15 and 17 stand rejected under 35 U.S.C. §103(a) as obvious over Seki *et al.*, and claims 1, 5-8, 10, 14-17 and 19 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Hennig *et al.* (US 4,876,311). Claims 1, 3-8, 10, 12-17 and 19 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Wu *et al.* (US 5,237,004) and claims 1, 3-10 and 12-19 stand rejected under 35 U.S.C. §103(a) as unpatentable over Roemer *et al.* (US 4,396,476).

The Applicants respectfully traverse these rejections in light of the above amendments and following remarks.

Specifically, as mentioned above, the presently claimed invention includes *inter alia*, acrylic compositions having a matrix of polymethyl methacrylate comprising a mixture of a *syrup* of partially polymerized methyl methacrylate containing about 25% of polymethyl methacrylate solids with excess methyl methacrylate, and the above described particles. No such syrups are taught or fairly suggested from the cited art. For examples, Deckers *et al.* and Hennig *et al.* discuss preparation of compositions by *melt extrusion*.<sup>4</sup> Similarly, Wu *et al.* discuss incorporation of particles by melt blending or by addition to the monomer *prior to* polymerization,<sup>5</sup> and Roemer *et al.* does not suggest a syrup with the above mentioned partially polymerized methyl methacrylate. The deficiencies of Seki have been discussed above. Accordingly, the Applicants respectfully request reconsideration and withdrawal of these rejections.

Therefore, all objections and rejections having been addressed, it is respectfully submitted that the present application is in a condition for allowance and a Notice to that effect is earnestly solicited.

---

<sup>3</sup> US 5,039,749 at Col. 3 line 65 – Col. 4 line 3.

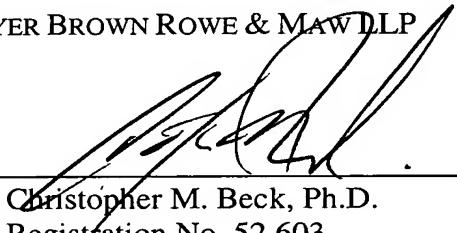
<sup>4</sup> US 5,475,055 Col. 5, and US 4,876,311 Col. 6, lines 8-30.

<sup>5</sup> US 5,237,004 Col. 12, lines 61-65.

Should any issues remain unresolved, the Examiner is encouraged to contact the undersigned attorney for Applicants at the telephone number indicated below in order to expeditiously resolve any remaining issues.

Respectfully submitted,

MAYER BROWN ROWE & MAWHILL LLP

By: 

Christopher M. Beck, Ph.D.  
Registration No. 52,603  
Direct No. (202) 263-3374

Paul L. Sharer  
Registration No. 36,004  
Direct No. (202) 263-3340

PLS/CMB  
Intellectual Property Group  
1909 K Street, N.W.  
Washington, D.C. 20006-1101  
(202) 263-3000 Telephone  
(202) 263-3300 Facsimile

Date: February 14, 2005